

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ANGELA ZORICH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	4:15-cv-0871 CEJ
	)	
COREY ZAVORKA, et al.,	)	
	)	
Defendants.	)	

**ANSWER OF DEFENDANT ROBERT M. RINCK TO COUNT IV  
OF PLAINTIFF'S COMPLAINT**

COMES NOW Defendant Robert M. Rinck, and for his Answer to Count IV of Plaintiff's Complaint states as follows:

117. Defendant incorporates his responses to the allegations in paragraphs 5 through 88 previously filed.

118. Defendant is unable to admit or deny the allegations in paragraph 118 because defendant cannot determine what speech the allegations in paragraph 118 refer to. Therefore, defendant denies the allegations in paragraph 118.

119. Defendant is unable to admit or deny the allegations in paragraph 119 because defendant cannot determine what speech and what persons the allegations in paragraph 119 refer to. Therefore, defendant denies the allegations in paragraph 119.

120. Defendant is unable to admit or deny the allegations in paragraph 120 because defendant cannot determine what speech, what action, and what persons the allegations in paragraph 120 refer to. Therefore, defendant denies the allegations in paragraph 120.

121. Defendant denies the allegations in paragraph 121.

122. Defendant denies the allegations in paragraph 122.

123. Defendant denies the allegations in paragraph 123.

124. Defendant denies the allegations in paragraph 124.

125. Defendant denies the allegations in paragraph 125.

#### **FURTHER ANSWER AND DEFENSES**

1. Further answering, Defendant denies each and every allegation which is not specifically admitted.
2. Further answering, Defendant Rinck is entitled to qualified immunity with respect to the allegations in Count IV because he did not violate any clearly established rights of the plaintiff of which he should have known.
3. Further answering, plaintiff has failed to state a claim upon which relief can be granted against Defendant Rinck because his actions were objectively reasonable.
4. Further answering, an award of punitive damages would violate the due process rights of Defendant Rinck under the Fourteenth Amendment to the United States Constitution, and Article I, Section 10 of the Missouri Constitution.
5. For further answer and defense, defendant requests bifurcation of the punitive damages claims pursuant to Rule 42(b) F.R.C.P.

WHEREFORE having fully answered the allegations in Count IV, Defendant Rinck prays to be dismissed hence with his costs.

**PETER J. KRANE**  
**COUNTY COUNSELOR**

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**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing was sent and by the Court's electronic filing to all counsel of record this 20th day of August, 2015.

**PETER J. KRANE**  
**COUNTY COUNSELOR**

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